

FIRST REGULAR SESSION

# HOUSE BILL NO. 831

## 99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BARINGER.

1767H.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To repeal section 86.207, RSMo, and to enact in lieu thereof one new section relating to the retirement of police officers, with an emergency clause.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 86.207, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 86.207, to read as follows:

86.207. 1. Except as provided herein, all persons who become policemen and all policemen who enter or reenter the service of any city not within a county after the first day of October, 1957, become members **of the retirement system** as a condition of their employment and **during the period of their membership** shall receive no pensions or retirement allowance from any other pension or retirement system supported wholly or in part by the city not within a county or the state of Missouri, nor shall they be required to make contributions under any other pension or retirement system of the city not within a county or the state of Missouri for the same period of service~~[- anything to the contrary notwithstanding. Any employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and subsequently becomes a policeman may elect to remain a member of said retirement plan and shall not be required to become a member of a police retirement system established under section 86.200. However,]~~. **Police officers employed by a city not within a county as airport police officers shall not be required to become members as a condition of their employment.** An employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and who subsequently becomes a policeman may elect to transfer ~~[membership and]~~ creditable service to the police retirement system created under ~~[section]~~ **sections 86.200 to 86.366**. Such transfers are subject

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 to the conditions and requirements contained in section 105.691 and are also subject to any  
19 existing agreements between the said retirement plans~~[- provided however, transfers completed~~  
20 ~~prior to January 1, 2016, shall occur without regard to the vesting requirements of the receiving~~  
21 ~~plan contained in section 105.691]~~. As part of the transfer process described herein, the  
22 respective retirement plans may require the employee to acknowledge and agree as a condition  
23 of transfer that any election made under this section is irrevocable, constitutes a waiver of any  
24 right to receive retirement and disability benefits except as provided by the police retirement  
25 system, and that plan terms may be modified in the future.

26         2. If any member ceases to be in service for more than one year unless the member has  
27 attained the age of fifty-five or has twenty years or more of creditable service, or if the member  
28 withdraws the member's accumulated contributions or if the member receives benefits under the  
29 retirement system or dies, the member thereupon ceases to be a member; except in the case of  
30 a member who has served in the Armed Forces of the United States and has subsequently been  
31 reinstated as a policeman. A member who has terminated employment as a police officer, has  
32 actually retired and is receiving retirement benefits under the system shall be considered a retired  
33 member.

34         3. A reserve officer shall not be considered a member of the system for the purpose of  
35 determining creditable service, nor shall any contributions be due. A reserve officer shall not  
36 be entitled to any benefits from the system other than those awarded when the reserve officer  
37 originally retired under section 86.250, nor shall service as a reserve officer prohibit distribution  
38 of those benefits.

Section B. Because immediate action is necessary to meet the requirements of the Social  
2 Security Administration and to prevent the expulsion of Missouri airport officers from the Social  
3 Security Program, section A of this act is deemed necessary for the immediate preservation of  
4 the public health, welfare, peace, and safety, and is hereby declared to be an emergency act  
5 within the meaning of the constitution, and section A of this act shall be in full force and effect  
6 upon its passage and approval.

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